Nixon's tapes and papers-ownership;Ritchey's decision HW 2/1/75

The WxPost story and excerpts from the decision suggest that it has broader application than the paper and radio and TV reports indicate. I think that long as it is a careful reading is necessary for FOI cases.

Regardless of what happens on appeal.

It gets into areas I did in CA 2569-90, when I presume I was regarded as prolix, argumentative, etc. But I did get into the ownership of what was generated by a presidency and Ritchey seems to be saying essentially what I did.

Whether or not his decision survives, his reasoning and citations are important in usch matters as Memorandum of Transfer, autopsy film (as distinguished from clothing) and accessibility.

Story quotes (not directly) "lawyers familiar with the case" as holding "it probably could not be applied to past presidents." If so, the view is restrictive, relating to appers comparable with those at issue in this case. However, there are other records not comparable, as in above graf. The Memorandum of Transfer was after the JFK Presidency, as were the film. They are also not LBJ Presidential papers.

I think this decision says pretty clearly that all the JFK materials not his personal property, like the clothing, can't be withheld under the terms of the GSA-family contract, which I also held in 2569-70, because of the self-serving federal contract which has as its only purpose a machine for withholding.

JL:We might want to discuss re-opening that case on "new evidence" grounds or based on this decision and ask for copies of the pictures taken for me. They will be sensational in at least one currently topical respect. It might cost me a book but it also might be worth it. We might attach a copy of WW IV as an exhibit?

Where he holds that the materials are directly related to the performance of the office, does that not include all papers of a Presidential commission?

I think his language about sovereignty just about nullifies the act on presidential papers and libraries. It would be good, too.

I think it can be argued from this reasoning that the FOI act repeals part of that on Presidential papers, too.